

ACCO,(AGRx),CLOSED,DISCOVERY,MANADR

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)**  
**CIVIL DOCKET FOR CASE #: 2:18-cv-03553-DSF-AGR**

Wayne Gall v. U.S. Food and Drug Administration  
Assigned to: Judge Dale S. Fischer  
Referred to: Magistrate Judge Alicia G. Rosenberg  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/26/2018  
Date Terminated: 02/27/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Wayne Gall**  
*an individual*

represented by **Brice E Bryan**  
Brice E Bryan and Associates  
25 West Rolling Oaks Drive Suite 102  
Thousand Oaks, CA 91361  
818-223-8090  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**FDA U.S. Food and Drug Administration**

represented by **Matthew Jimenez Barragan**  
AUSA – Office of US Attorney  
300 North Los Angeles Street Suite 7516  
Los Angeles, CA 90012  
213-894-2444  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/26/2018	<u>1</u>	COMPLAINT Receipt No: 0973-21658700 – Fee: \$400, filed by plaintiff Wayne Gall. (Attorney Brice E Bryan added to party Wayne Gall(pty:pla))(Bryan, Brice) (Entered: 04/26/2018)
04/26/2018	<u>2</u>	CIVIL COVER SHEET filed by Plaintiff Wayne Gall. (Bryan, Brice) (Entered: 04/26/2018)
04/26/2018	<u>3</u>	NOTICE of Interested Parties filed by plaintiff Wayne Gall, (Bryan, Brice) (Entered: 04/26/2018)
04/27/2018	<u>4</u>	NOTICE OF ASSIGNMENT to District Judge Dale S. Fischer and Magistrate Judge Alicia G. Rosenberg. (ghap) (Entered: 04/27/2018)
04/27/2018	<u>5</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (ghap) (Entered: 04/27/2018)
04/30/2018	<u>6</u>	STANDING ORDER FOR CASES ASSIGNED TO JUDGE DALE S. FISCHER upon filing of the complaint by Judge Dale S. Fischer. If a party would be entitled to attorneys fees, counsel are referred to the Order Re Fees found on Court's website under Judge Fischer's Procedures and Schedules contained in the Judge's Requirements tab. Read all Orders carefully. They govern this case and differ in some respects from the Local Rules. COUNSEL ARE ORDERED TO PROVIDE A MANDATORY CHAMBERS COPY OF THE COMPLAINT, NOTICE OF REMOVAL, AND ANY OTHER INITIATING DOCUMENTS. (dp) (Entered: 04/30/2018)

05/23/2018	<u>7</u>	60 DAY Summons Issued re Complaint (Attorney Civil Case Opening) <u>1</u> as to Defendant U.S. Food and Drug Administration. (bp) (Entered: 05/24/2018)
05/23/2018	<u>8</u>	60 DAY Summons Issued re Complaint (Attorney Civil Case Opening) <u>1</u> as to Defendant U.S. Food and Drug Administration. (bp) (Entered: 05/24/2018)
06/27/2018	<u>9</u>	PROOF OF SERVICE Executed by Plaintiff Wayne Gall, upon Defendant U.S. Food and Drug Administration served on 6/27/2018, answer due 8/27/2018. Service of the Summons and Complaint were executed upon the United States Attorneys Office by delivering a copy to CERTIFIED MAIL. Executed upon the Attorney Generals Office of the United States by delivering a copy to CERTIFIED MAIL. Executed upon the officer agency or corporation by delivering a copy to CERTIFIED MAIL. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. Original Summons NOT returned. (Bryan, Brice) (Entered: 06/27/2018)
07/19/2018	<u>10</u>	STIPULATION Extending Time to Answer the complaint as to U.S. Food and Drug Administration answer now due 9/26/2018, re Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant U.S. Food and Drug Administration.(Attorney Matthew Jimenez Barragan added to party U.S. Food and Drug Administration(pty:dft))(Barragan, Matthew) (Entered: 07/19/2018)
09/21/2018	<u>11</u>	STIPULATION for Extension of Time to File Response as to Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant U.S. Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order)(Barragan, Matthew) (Entered: 09/21/2018)
09/25/2018	<u>12</u>	ORDER EXTENDING TIME FOR DEFENDANT TO RESPOND TO INITIAL COMPLAINT by Judge Dale S. Fischer: IT IS HEREBY ORDERED that Defendant U.S. Food and Drug Administration (FDA) shall have up to and including October 26, 2018, to answer, plead or otherwise respond to Plaintiffs Complaint. (yl) (Entered: 09/26/2018)
10/26/2018	<u>13</u>	ANSWER to Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant U.S. Food and Drug Administration.(Barragan, Matthew) (Entered: 10/26/2018)
10/29/2018	<u>14</u>	ORDER SETTING SCHEDULING CONFERENCE by Judge Dale S. Fischer. The Joint Report must include the completed Schedule of Pretrial and Trial dates. Lead trial counsel are ordered to appear in person unless counsel have been excused by the Court. Scheduling Conference set for 2/11/2019 at 11:00 AM before Judge Dale S. Fischer. (rfi) (Entered: 10/29/2018)
01/02/2019	<u>15</u>	EX PARTE APPLICATION to Stay Case pending THE LAPSE OF APPROPRIATIONS ; <i>Declaration of Matthew J. Barragan</i> filed by Defendant U.S. Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order) (Barragan, Matthew) (Entered: 01/02/2019)
01/04/2019	<u>16</u>	DENIED BY ORDER OF THE COURT <u>15</u> by Judge Dale S. Fischer. (SEE ORDER FOR SPECIFICS) (bp) (Entered: 01/07/2019)
02/04/2019	<u>17</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 3 days, filed by Defendant U.S. Food and Drug Administration.. (Barragan, Matthew) (Entered: 02/04/2019)
02/06/2019	<u>18</u>	TEXT ONLY ENTRY: (IN CHAMBERS) SCHEDULING ORDER. The Court takes the Scheduling Conference off calendar and establishes the case management dates as proposed by parties in the Joint Rule 26(f) Report as further described in the Schedule of Pretrial and Trial dates except as noted in the Order re Trial. (See Order re Trial for specific dates and times.) These dates and requirements are firm. The Court is very unlikely to grant continuances unless the parties establish good cause through a concrete showing. Failure to complete discovery in a timely manner does not constitute good cause, nor does the fact that a settlement conference is pending. Each side is limited to five motions in limine unless the Court orders otherwise. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vv) (Entered: 02/06/2019)
02/06/2019	<u>19</u>	ORDER RE COURT TRIAL I. DEADLINES by Judge Dale S. Fischer. (SEE ORDER FOR SPECIFICS) (bp) (Entered: 02/08/2019)

02/27/2019	<u>20</u>	NOTICE of Settlement filed by Defendant U.S. Food and Drug Administration. (Attachments: # <u>1</u> Exhibit 1 – Settlement Agreement)(Barragan, Matthew) (Entered: 02/27/2019)
02/27/2019	<u>21</u>	DISMISSAL ORDER by Judge Dale S. Fischer, this action is dismissed with prejudice. Each party shall bear its own fees, costs, and expenses. (Made JS-6. Case Terminated.) (jp) (Entered: 02/27/2019)